

UNITED STATES DISTRICT COURT
REDACTED COPY WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

FILED

2016 JUN 22 AM 11:34

WESTERN DISTRICT OF TEXAS
U.S. CLERK'S OFFICE

UNITED STATES OF AMERICA

Cause No.

§
BY: _____
DEPUTY

INDICTMENT

v.

KOLBY WAYNE COFFEY

§ [VIO: COUNT ONE: 21 U.S.C. §
§ 841(a)(1) & (b)(1)(B): Possession of
§ Methamphetamine With Intent to
§ Distribute; COUNT TWO: 18 U.S.C. §
§ 922(g)(1) & 924(a)(2): Possession of a
§ Firearm by a Convicted Felon; COUNT
§ THREE: 18 U.S.C. § 922(j) &
§ 924(a)(2): Possession of a Stolen
§ Firearm.]

THE GRAND JURY CHARGES:

COUNT ONE

DR 16 CR 0867

[21 U.S.C. § 841(a)(1) & (b)(1)(B)]

On or about May 25, 2016, in the Western District of Texas, Defendant,

KOLBY WAYNE COFFEY,

did knowingly, intentionally and unlawfully possess with the intent to distribute a controlled substance, which offense involved a quantity of 5 grams or more of Methamphetamine, its salts, isomers, or salts of isomers, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) & (b)(1)(B).

COUNT TWO

[18 U.S.C. § 922(g)(1) & § 924(a)(2)]

On or about May 25, 2016, in the Western District of Texas, Defendant,

KOLBY WAYNE COFFEY,

having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: "Possession With Intent to Distribute Less Than 50 Kilograms of Marijuana," on May 14, 2008 in the United States District Court for the Western District of Texas, Del Rio Division, did knowingly possess in and affecting interstate commerce a firearm, to wit: a Beretta, model PX4, .40 caliber pistol, with an obliterated serial number, said firearm having been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT THREE

[18 U.S.C. §922(j) & §924(a)(2)]

On or about May 25, 2016, in the Western District of Texas, Defendant,

KOLBY WAYNE COFFEY,

knowingly possessed and concealed a stolen firearm, to wit: a Ruger, model LC9, 9mm pistol, bearing serial number "32531909," which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen, in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE

Firearms Forfeiture Statutes and Violations

[Title 18 U.S.C. §§ 922(g)(1), 922(j) and 924(a)(2), subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture pursuant to Title 28 U.S.C. § 2461(c). See Fed. R. Crim. P. 32.2]

As a result of the foregoing criminal violations as set forth in Count One, which are punishable by imprisonment for more than one year, Defendant KOLBY WAYNE COFFEY,

shall forfeit the property described below to the United States pursuant to Title 18, United States Code, Section 924(d)(1), made applicable to criminal forfeiture pursuant to Title 28, United States Code, Section 2461(c), which states the following:

Title 18 U.S.C. § 924

(d)(1) Any firearm or ammunition involved in or used in any knowing violation of . . . section 922 . . . or knowing violation of section 924 . . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter

This Notice of Demand for Forfeiture includes but is not limited to the following firearm, to wit: **one, Beretta, Model PX4, .40 caliber Derringer pistol, bearing an obliterated serial number; eleven (11) rounds of Jagemann Technologies .40 caliber ammunition; and five (5) rounds of Hornady 9mm ammunition.**

A TRUE BILL.

FOREPERSON

RICHARD L. DURBIN, JR.
United States Attorney

By: 

MATTHEW H. WATERS

Assistant United States Attorney

SEALED:
UNSEALED: XX

DR 16 CR 0867

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

COUNTY: MAVERICK USAO #: 2016R09702
DATE: JUNE 22, 2016 MAG. CT. #: DR16-5799M
AUSA: MATTHEW H. WATTERS
DEFENDANT: KOLBY WAYNE COFFEY
CITIZENSHIP: UNITED STATES
INTERPRETER NEEDED: NO LANGUAGE: ENGLISH
DEFENSE ATTORNEY: LEWIS GAINOR
ADDRESS OF ATTORNEY: 2205 VETERANS BLVD., STE. A2, DEL RIO, TEXAS 78840
DEFENDANT IS: DETAINED DATE OF ARREST: MAY 25, 2016
BENCH WARRANT NEEDED: NO
PROBATION OFFICER: N/A
NAME AND ADDRESS OF SURETY: N/A
YOUTH CORRECTIONS ACT APPLICABLE: NO
PROSECUTION BY: INDICTMENT
OFFENSE: (CODE & DESCRIPTION): COUNT 1 - 21 U.S.C. § 841(a)(1) & (b)(1)(B),
POSSESSION OF METHAMPHETAMINE WITH INTENT TO DISTRIBUTE; COUNT 2 - 18
U.S.C. § 922(g)(1) & 924(a)(2) - POSSESSION OF A FIREARM BY A CONVICTED FELON;
COUNT THREE - 18 U.S.C. § 922(j) & 924(a)(2) - POSSESSION OF A STOLEN FIREARM.
OFFENSE IS A: FELONY
MAXIMUM SENTENCE: FOR COUNT 1: 5 to 40 YEARS IMPRISONMENT; UP TO \$5
MILLION FINE; AT LEAST 4 YEARS OF SUPERVISED RELEASE; \$100 SPECIAL
ASSESSMENT; FOR COUNTS 2-3: 10 YEARS IMPRISONMENT; UP TO \$250,000 FINE;
UP TO 3 YEARS OF SUPERVISED RELEASE; AND \$100 SPECIAL ASSESSMENT FOR
EACH COUNT.
PENALTY IS MANDATORY: YES & NO
REMARKS: SEE ABOVE
W/DT-CR-3